

**SENATE JOURNAL  
64TH LEGISLATURE  
FIFTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana  
March 19, 2015

Senate Chambers  
State Capitol

Senate convened at 1:00 p.m. President Pro Tempore Moore presiding. Invocation by Pastor Johnson. Pledge of Allegiance to the Flag.

Roll Call. Forty-seven members present, Senators Debby Barrett, Blasdel and Whitford excused. Quorum present.

**BILLS AND JOURNALS**

3/19/2015

Correctly printed: **SB 99, SB 406, SB 407, HB 44, HB 97, HB 107, HB 117, HB 207, HB 240, HB 252, HB 375, HB 382, HB 446, HJ 8, HJ 11.**

Correctly engrossed: **SB 193, SB 312, HB 118, HB 251.**

Transmitted to the House: **HB 387, HB 396, HB 412, HB 414, HB 449, HB 461, HB 482.**

**REPORTS OF STANDING COMMITTEES**

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Buttrey, Chair):

3/17/2015

**HB 306**, be concurred in. Report adopted.

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Buttrey, Chair):

3/19/2015

**SB 193**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Strike:** "AND"

2. Title, page 1, line 7.

**Following:** "16-2-101, MCA"

**Insert:** "; AND PROVIDING EFFECTIVE DATES"

3. Page 1, line 27.

**Strike:** "43%"

**Insert:** "40.5% for all liquor other than sacramental wine, for which the markup must be 20%, and fortified wine containing more than 16% but not more than 24% alcohol by volume, for which the markup must be 51%"

4. Page 3, line 7.

**Following:** "operation."

**Insert:** "The commission rates constitute the only compensation the department provides to agency liquor stores and reflect that agency liquor stores sell at retail and wholesale and must provide the discount in 16-2-201."

SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

5. Page 3, line 13.

**Following:** "(4)"

**Insert:** "(a) Beginning February 1, 2016, each agency liquor store's commission rate is equal to the agency liquor store's combined commission rates on December 31, 2015, plus 1/3 of the difference between the agency liquor store's commission rate as determined in subsection (4)(b) and the agency liquor store's combined commission rate on December 31, 2015. Beginning February 1, 2017, each agency liquor store's commission rate is equal to the agency liquor store's combined commission rates on December 31, 2015, plus 2/3 of the difference between the agency liquor store's commission rate as determined in subsection (4)(b) and the agency liquor store's combined commission rates on December 31, 2015. Beginning February 1, 2018, each agency liquor store's commission rate is determined as in subsection (4)(b)."

**Renumber:** subsequent subsections

6. Page 3, line 18.

**Strike:** "\$750,000"

**Insert:** "\$720,000"

7. Page 3, line 19.

**Strike:** "\$750,000"

**Insert:** "\$720,000"

**Strike:** "\$1 million"

**Insert:** "\$950,000"

8. Page 3, line 20.

**Strike:** "\$1 million"

**Insert:** "\$950,000"

**Strike:** "\$1.5 million"

**Insert:** "\$1.525 million"

9. Page 3, line 21.

**Strike:** "\$1.5 million"

**Insert:** "\$1.525 million"

**Strike:** "\$2 million"

**Insert:** "\$1.85 million"

10. Page 3, line 22.

**Strike:** "\$2 million"

**Insert:** "\$1.85 million"

**Strike:** "\$3.5 million"

**Insert:** "\$2.25 million"

**Strike:** "or"

11. Page 3, line 23.

**Strike:** "12%"

SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

**Insert:** "12.75%"

**Strike:** "\$3.5 million; or"

**Insert:** "\$2.25 million but not more than \$3.25 million;"

12. Page 3, line 24.

**Following:** line 23

**Insert:** "(I) a 12.5% commission for purchases of more than \$3.25 million but not more than \$7 million; or

(J) a 12.15% commission for purchases of more than \$7 million; or"

13. Page 3, line 25.

**Strike:** "(4)(a)(i)"

**Insert:** "(4)(b)(i)"

14. Page 4, line 12.

**Strike:** "during the current calendar year"

**Insert:** "for the period beginning February 1 and ending January 31"

15. Page 4, line 13.

**Following:** "prior"

**Insert:** "calendar"

**Strike:** "(4)(a)(i)"

**Insert:** "(4)(b)(i)"

16. Page 4, line 14.

**Strike:** "(4)(a)(i)"

**Insert:** "(4)(b)(i)"

17. Page 6, line 28.

**Following:** line 27

**Insert:** "NEW SECTION. Section 3. Effective dates. (1) Except as provided in subsection (2), [this act] is effective November 1, 2015.

(2) [Section 2] is effective February 1, 2016."

And, as amended, do pass. Report adopted.

**HB 481**, be concurred in. Report adopted.

**HB 522**, be concurred in. Report adopted.

**HB 537**, be concurred in. Report adopted.

**EDUCATION AND CULTURAL RESOURCES** (T. Brown, Chair):

3/6/2015

**SR 19**, be adopted. Report adopted.

**SR 21**, be adopted. Report adopted.

SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

**STATE ADMINISTRATION** (D. Brown, Chair):

3/18/2015

**HB 69**, be concurred in. Report adopted.

**HB 198**, be concurred in. Report adopted.

**HB 251**, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "AND"

**Following:** "19-3-111,"

**Insert:** "AND 19-3-412,"

2. Page 1, line 27.

**Insert:** "(4) A former legislator may not be hired as a temporary legislative aide unless the former legislator has been out of legislative office for at least 2 years."

3. Page 4, following line 9.

**Insert:** "**Section 5.** Section 19-3-412, MCA, is amended to read:

**"19-3-412. Optional membership.** (1) Except as provided in 5-2-304, [section 1], and subsection (2) of this section, the following employees and elected officials in covered positions shall elect either to become active members of the retirement system or to decline this optional membership by filing an irrevocable, written application with the board in the manner prescribed in subsection (3):

(a) elected officials of the state or local governments, including individuals appointed to fill the unexpired term of elected officials, who:

(i) are paid on a salary or wage basis rather than on a per diem or other reimbursement basis; or

(ii) were members receiving retirement benefits under the defined benefit plan or a distribution under the defined contribution plan at the time of their election;

(b) employees serving in employment that does not cumulatively exceed a total of 960 hours of covered employment with all employers under this chapter in any fiscal year;

(c) employees directly appointed by the governor;

(d) employees working 10 months or less for the legislative branch to perform work related to the legislative session;

(e) the chief administrative officer of any city or county;

(f) employees of county hospitals or rest homes.

(2) A member who is elected to a local government position in which the member works less than 960 hours in a fiscal year may, within 90 days of taking office, decline optional membership with respect to the member's elected position.

(3) (a) The board shall prescribe the form of the written application required pursuant to subsection (1) and provide written application forms to each employer.

(b) Each employee or elected official in a position covered under subsection (1) shall obtain the written application form from the employer and complete and return it to the board.

(c) The written application must be filed with the board:

(i) for an employee described in subsection (1)(d), within 90 days of the commencement of the employee's employment; and

(ii) for an employee or elected official described in subsection (1)(a), (1)(b), (1)(c), (1)(e),

SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

or (1)(f), within 90 days of the commencement of the employee's or elected official's employment.

(d) The employer shall retain a copy of the employee's or elected official's written application.

(4) If the employee or elected official fails to file the written application required under subsection (1) with the board within the time allowed in subsection (3), the employee or elected official waives membership.

(5) An employee or elected official who declines optional membership may not receive membership service or service credit for the employment for which membership was declined.

(6) An employee or elected official who declined optional membership but later becomes a member may purchase service credit for the period of time beginning with the date of employment in which membership was declined to the commencement of membership. Purchase of service credit pursuant to this subsection must comply with 19-3-505.

(7) Except as provided in subsection (2), membership in the retirement system is not optional for an employee or elected official who is already a member. Upon employment in a position for which membership is optional:

(a) a member who was an active member before the employment remains an active member;

(b) a member who was an inactive member before the employment becomes an active member; and

(c) a member who was a retired member before the employment is subject to part 11 of this chapter.

(8) (a) An employee who declines membership for a position for which membership is optional may not later become a member while still employed with the same employer but in a different optional membership position.

(b) An elected official who declines membership for a position for which membership is optional may not later become a member if reelected to the same optional membership position.

(c) If, after termination from employment for 30 days or more, an employee who was employed in an optional membership position is reemployed in the same position or is employed in a different position for which membership is optional, the employee shall again choose or decline membership.

(d) If the termination from employment is less than 30 days, an employee who declined membership is bound by the employee's original decision to decline membership.

(9) An employee accepting a position that requires membership must become a member even if the employee previously declined membership and did not have a 30-day break in service."

**Renumber:** subsequent sections

And, as amended, be concurred in. Report adopted.

**HB 372**, be concurred in. Report adopted.

**HB 392**, be concurred in. Report adopted.

**MESSAGES FROM THE OTHER HOUSE**

**Senate bills** concurred in and returned to the Senate:

3/18/2015

SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

**SB 21**, introduced by J. Cohenour

**SB 22**, introduced by J. Cohenour

**SB 94**, introduced by E. Buttrey

**Senate bill** concurred in as amended and returned to the Senate for concurrence in House amendments: 3/18/2015

**SB 31**, introduced by L. Whitford

**House bills** passed and transmitted to the Senate for concurrence: 3/18/2015

**HB 560**, introduced by G. Hertz

**HB 587**, introduced by K. Regier

**Senate amendments to House bills** concurred in: 3/18/2015

**HB 95**, introduced by K. McCarthy

**HB 183**, introduced by F. Mandeville

**MOTIONS**

Senator Rosendale moved **SB 157** be taken from the second reading board and re-referred to the Finance and Claims Committee. Without objection, so ordered.

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 560**, introduced by G. Hertz, referred to Business, Labor, and Economic Affairs.

**HB 587**, introduced by K. Regier, referred to Judiciary.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Rosendale moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Hoven in the chair.

Ms. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 387** - Senator C. Smith moved **SB 387** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Connell, Fielder,

SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Hansen, Hinkle, Hoven, Howard, Jones, Kary, Keane, Keenan, Moore, Ripley, Rosendale, Sales, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Webb, Ms. President.

Total 31

Nays: Barrett Dick, Caferro, Cohenour, Driscoll, Facey, Hamlett, Kaufmann, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Sands, Sesso, Vuckovich, Whitford, Windy Boy, Wolken.

Total 19

Paired: Blasdel, Rosendale, Ms. President, Aye; Larsen, Pomnichowski, Whitford, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 164** - Senator Tutvedt moved **HB 164** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken.

Total 47

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

**HB 289** - Senator Buttrey moved **HB 289** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken.

Total 45

SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Nays: Facey, Sales.

Total 2

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

**HB 334** - Senator Pomnichowski moved **HB 334** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Brenden, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Hamlett, Hansen, Hoven, Howard, Jones, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Sands, Sesso, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Windy Boy, Wolken.

Total 38

Nays: D. Brown, Fielder, Hinkle, Kary, Rosendale, Sales, Smith, Vance, Webb.

Total 9

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

**HB 36** - Senator Keane moved **HB 36** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken.

Total 47

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

**HB 226** - Senator Keane moved **HB 226** be concurred in. Motion carried as follows:



SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Yeas: Ankney, Arntzen, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken.  
Total 47

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Blasdel, Whitford, Ms. President.  
Total 3

**HB 270** - Senator Vincent moved **HB 270** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken.  
Total 47

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Blasdel, Whitford, Ms. President.  
Total 3

**HB 318** - Senator Sands moved **HB 318** be concurred in.

**HB 318** - Senator Sands moved **HB 318**, second reading copy, be amended as follows:

1. Title, page 1, line 6.

**Following:** "DATE"

**Insert:** "AND AN APPLICABILITY DATE"

2. Page 9, line 4.

**Insert:** "NEW SECTION. **Section 7. Applicability.** [This act] applies to health insurance plans and policies issued or renewed on or after January 1, 2016."

SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Amendment adopted as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Sands, Sesso, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken.

Total 43

Nays: Howard, Rosendale, Sales, Smith.

Total 4

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

**HB 318** - Senator Sands moved **HB 318**, as amended, be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Hamlett, Hoven, Kaufmann, Keane, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Sands, Sesso, Stewart-Peregoy, Swandal, Thomas, Vuckovich, Windy Boy, Wolken.

Total 28

Nays: Brenden, D. Brown, T. Brown, Fielder, Hansen, Hinkle, Howard, Jones, Kary, Keenan, Ripley, Rosendale, Sales, Smith, Taylor, Tutvedt, Vance, Vincent, Webb.

Total 19

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

**HB 422** - Senator Sands moved **HB 422** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett Dick, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Hamlett, Hinkle, Hoven, Jones, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Sands, Sesso, Stewart-Peregoy, Swandal, Thomas, Tutvedt, Vuckovich, Webb, Windy Boy, Wolken.

Total 33

SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Nays: Arntzen, Brenden, Fielder, Hansen, Howard, Kary, Moore, Ripley, Rosendale, Sales, Smith, Taylor, Vance, Vincent.  
Total 14

Absent or not voting: None.  
Total 0

Excused: Blasdel, Whitford, Ms. President.  
Total 3

**HB 429** - Senator Windy Boy moved **HB 429** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, McNally, Moe, Moore, Phillips, Pomnichowski, Rosendale, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Webb, Windy Boy, Wolken.  
Total 42

Nays: Malek, Ripley, Sales, Vincent, Vuckovich.  
Total 5

Absent or not voting: None.  
Total 0

Excused: Blasdel, Whitford, Ms. President.  
Total 3

**HB 507** - Senator Swandal moved **HB 507** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken.  
Total 47

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Blasdel, Whitford, Ms. President.  
Total 3

SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

**HB 513** - Senator Swandal moved **HB 513** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken.

Total 46

Nays: Howard.

Total 1

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

Majority Leader Rosendale moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Pro Tempore Moore presiding. Chair Hoven moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken.

Total 47

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**SB 39, as amended by the House**, passed as follows:

SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Yeas: Ankney, Arntzen, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken.  
Total 47

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Blasdel, Whitford, Ms. President.  
Total 3

**SB 41, as amended by the House, passed as follows:**

Yeas: Ankney, Arntzen, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken.  
Total 47

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Blasdel, Whitford, Ms. President.  
Total 3

**SB 60, as amended by the House, passed as follows:**

Yeas: Ankney, Arntzen, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken.  
Total 47

Nays: None.  
Total 0

SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

**SB 241, as amended by the House**, passed as follows:

Yeas: Ankney, Arntzen, Brenden, T. Brown, Buttrey, Connell, Fielder, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Keenan, McNally, Moore, Rosendale, Sales, Smith, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Webb, Windy Boy.

Total 27

Nays: Barrett Dick, D. Brown, Caferro, Cohenour, Driscoll, Facey, Hamlett, Kaufmann, Keane, Larsen, Malek, Moe, Phillips, Pomnichowski, Ripley, Sands, Sesso, Stewart-Peregoy, Vuckovich, Wolken.

Total 20

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

**HB 97 failed** as follows:

Yeas: Ankney, Arntzen, Barrett Dick, T. Brown, Buttrey, Connell, Driscoll, Facey, Hoven, Jones, Kaufmann, Keenan, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Sands, Sesso, Swandal, Thomas, Tutvedt.

Total 23

Nays: Brenden, D. Brown, Caferro, Cohenour, Fielder, Hamlett, Hansen, Hinkle, Howard, Kary, Keane, Moore, Ripley, Rosendale, Sales, Smith, Stewart-Peregoy, Taylor, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken.

Total 24

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

**HB 107** concurred in as follows:

Yeas: Ankney, Barrett Dick, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll,

SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Facey, Hamlett, Jones, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Ripley, Sands, Sesso, Stewart-Peregoy, Swandal, Tutvedt, Vuckovich, Windy Boy, Wolken.

Total 30

Nays: Arntzen, Brenden, Fielder, Hansen, Hinkle, Hoven, Howard, Kary, Moore, Rosendale, Sales, Smith, Taylor, Thomas, Vance, Vincent, Webb.

Total 17

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

**HB 208** concurred in as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken.

Total 46

Nays: Tutvedt.

Total 1

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

**HB 375** concurred in as follows:

Yeas: Ankney, Barrett Dick, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Hamlett, Hansen, Hoven, Jones, Kaufmann, Keane, Larsen, Malek, McNally, Moe, Phillips, Sands, Sesso, Stewart-Peregoy, Thomas, Tutvedt, Vuckovich, Wolken.

Total 27

Nays: Arntzen, Brenden, D. Brown, Fielder, Hinkle, Howard, Kary, Keenan, Moore, Pomnichowski, Ripley, Rosendale, Sales, Smith, Swandal, Taylor, Vance, Vincent, Webb, Windy Boy.

Total 20

SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

**HB 382** concurred in as follows:

Yeas: Ankney, Arntzen, Barrett Dick, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Rosendale, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vuckovich, Webb, Windy Boy, Wolken.

Total 42

Nays: Brenden, Ripley, Sales, Vance, Vincent.

Total 5

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

**HJ 8** concurred in as follows:

Yeas: Ankney, Arntzen, Barrett Dick, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hoven, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Rosendale, Sands, Sesso, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Webb, Windy Boy, Wolken.

Total 40

Nays: Brenden, Hinkle, Howard, Ripley, Sales, Smith, Vance.

Total 7

Absent or not voting: None.

Total 0

Excused: Blasdel, Whitford, Ms. President.

Total 3

**SPECIAL ORDERS OF THE DAY**

Senator Buttrey introduced Selig Kirwan who is employed by Propylon, the contractor for the



SENATE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

legislative session systems replacement project. Mr. Kirwan is from Dublin, Ireland.

Senator Hamlett arose on a point of personal privilege. Today is the 151st birthday of Charles Marion Russell and Senator Hamlett urged members to attend the Western Art Roundup in Great Falls which features the Charlie Russell auction.

**MOTIONS**

Senator Sales moved **HB 330** be taken from the table in the Finance and Claims Committee and re-referred to the Judiciary Committee. Motion carried as follows:

Yeas: Ankney, Arntzen, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Fielder, Hinkle, Jones, Keenan, McNally, Moe, Moore, Ripley, Rosendale, Sales, Sands, Smith, Swandal, Taylor, Thomas, Vance, Vincent, Wolken.  
Total 26

Nays: Barrett Dick, Cohenour, Connell, Facey, Hamlett, Hansen, Hoven, Howard, Kary, Kaufmann, Keane, Larsen, Malek, Phillips, Pomnichowski, Sesso, Stewart-Peregoy, Tutvedt, Vuckovich, Webb, Windy Boy.  
Total 21

Absent or not voting: None.  
Total 0

Excused: Blasdel, Whitford, Ms. President.  
Total 3

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Rosendale moved the Senate adjourn until 1:00 p.m., Friday, March 20, 2015, the fifty-eighth legislative day. Motion carried.

Senate adjourned at 2:25 p.m.

MARILYN MILLER  
Secretary of the Senate

DEBBY BARRETT  
President of the Senate